CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
ON DISARMAMENT

ENDC/152
17 August 1965
Original: ENGLISH

UNITED STATES OF AMERICA

Draft Treaty to prevent the spread of Nuclear Weapons

The Parties to this Treaty,

Desiring to promote international peace and security,

Desiring in particular to refrain from taking steps which will extend and intensify the arms race,

Believing that the further spread of nuclear weapons will jeaopardize these ends,

Recalling that Resolution 1665 (XVI) of the General Assembly of the United Nations urges all States to cooperate for these purposes,

Desiring to achieve effective agreements to halt the nuclear arms race, and to reduce armaments, including particularly nuclear arsenals,

Reaffirming their determination to achieve agreement on general and complete disarmament under effective international control,

Have agreed as follows:

ARTICLE I

1. Each of the nuclear States Party to this Treaty undertakes not to transfer any nuclear weapons into the national control of any non-nuclear State, either directly, or indirectly through a military alliance, and each undertakes not to take any other action which would cause an increase in the total number of States and other organizations having independent power to use nuclear weapons.

2. Each of the nuclear States Party to this Treaty undertakes not to assist any non-nuclear State in the manufacture of nuclear weapons.

ARTICLE II

1. Each of the non-nuclear States Party to this Treaty undertakes not to manufacture nuclear weapons; each undertakes not to seek or to receive the transfer of such weapons into its national control, either directly, or indirectly through a military alliance; and each undertakes not to take any other action which would cause an increase in the total number of States and other organizations having independent power to use nuclear weapons.

2. Each of the non-nuclear States Party to this Treaty undertakes not to seek or to receive assistance in the manufacture of nuclear weapons, or itself to grant such assistance.

ARTICLE III

Each of the States Party to this Treaty undertakes to cooperate in facilitating the application of International Atomic Energy Agency or equivalent international safeguards on all peaceful nuclear activities.

ARTICLE IV

In this Treaty

(a) -- "nuclear State" means a State possessing independent power to use nuclear weapons as of

_____(date).

(b) -- "non-nuclear State" means any State which is not a nuclear State.

ARTICLE V

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and the United States of America, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force on the deposit of instruments of ratification by _____ (a certain number of) governments, including those of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and the United States of America.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding states of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, and the date of its entry into force.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE VI

1. This Treaty shall remain in force indefinitely subject to the right of any Party to the Treaty to withdraw from the Treaty if it decides that extraordinary events related to the subject matter of the Treaty have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other signatory and acceding States and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. _____ years after the entry into force of this Treaty, a conference of parties may be held at a date and place to be fixed by agreement of two-thirds of the parties in order to review the operation of the Treaty.

ARTICLE VII

This Treaty, of which the Chinese, English, French, Russian, and Spanish texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate at the city of _____, the _____ day of _____, one thousand nine hundred and sixty five.

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/152/Add.1
21 March 1966

Original: ENGLISH

UNITED STATES OF AMERICA

Amendments to the U.S. Draft Treaty to Prevent the Spread of Nuclear Weapons (ENDC/152, August 17, 1965)

ARTICLE I

Each of the nuclear-weapon States party to this treaty undertakes:

1. Not to transfer nuclear weapons into the national control of any non-nuclear-weapon State, or into the control of any association of non-nuclear-weapon States.

2. Not to provide to any non-nuclear-weapon State or association of such States --

(a) assistance in the manufacture of nuclear weapons, in preparations for such manufacture, or in the testing of nuclear weapons; or

(b) encouragement or inducement to manufacture or otherwise acquire its own nuclear weapons.

3. Not to take any other action which would cause an increase in the total number of States and associations of States having control of nuclear weapons.

4. Not to take any of the actions prohibited in the preceding paragraphs of this Article directly, or indirectly through third States or associations of States, or through units of the armed forces or military personnel of any State, even if such units or personnel are under the command of a military alliance.

ARTICLE II

Each of the non-nuclear-weapon States party to this treaty undertakes:

1. Not to manufacture nuclear weapons, and not to seek or to receive the transfer of nuclear weapons into its national control or into the control of any association of non-nuclear-weapon States of which it is a member.

2. Not to seek or receive, and not to provide, whether alone or in any association of non-nuclear-weapon States:

(a) assistance in the manufacture of nuclear weapons, in preparations for such manufacture, or in the testing of nuclear weapons; or

(b) encouragement or inducement to manufacture or otherwise acquire its own nuclear weapons.

3. Not to take any other action which would cause an increase in the total number of States and associations of States having control of nuclear weapons.

4. Not to take any of the actions prohibited in the preceding paragraphs of this Article directly, or indirectly through third States or associations of States, or through units of its armed forces or its military personnel, even if such units or personnel are under the command of a military alliance.

ARTICLE IV

In this treaty

(a) "Nuclear-weapon State" means a State controlling nuclear weapons as of ..... (date)

(b) "Non-nuclear-weapon State" means any State which is not a "nuclear-weapon State".

(c) "Control" means right or ability to fire nuclear weapons without the concurrent decision of an existing nuclear-weapon State.

(d) "Nuclear weapon" means ..... (definition to be supplied).